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WENDEROTH, LIND & PONACK LLP. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503			EXAMINER	HERRERA, DIEGO D
		ART UNIT	PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/582,225	Applicant(s) KASHIWABARA, KAZUYUKI
	Examiner DIEGO HERRERA	Art Unit 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 February 2011.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 and 12 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-10, 12 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-441)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Response to Amendment

Claims 1-4, 10, and 12 have been amended.

Response to Arguments

Applicant's arguments filed 2/4/2011 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, the references cited of Parker, Demsky, Emerson and Harada for the different Claims. Demsky is singled out as not teaching the presentation attribute, however, it is not so as pointed out in the reference and office action below.

Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Further discussion with Examiner Shedrick, it was noted that this can be represented by already methods in communication of information such as Outlook program, Vcards, blocker ID, and other methods of limiting exposure of personal information by either forwarding said personal information to a third party.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-4, and 9-12 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Parker (GB 2391750 A) and in view of Demsky et al. (US 7107317 B2).

Regarding claim 1. a communication terminal for communicating with a first communication terminal and a second communication terminal via telephone or electronic mail (abstract, title, Page 1 lines: 3-13, Parker teaches mobile terminal

sending information that has restriction or locking content to be delivered on another device), the communication terminal comprising:

a communication section for receiving, from a first communication terminal, (i) personal information of the first communication terminal, the personal information of the first communication terminal including at least a telephone number or an electronic mail address of the first communication terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to another device).

However, Parker does not disclose (ii) a presentation attribute that indicates whether or not the personal information of the first communication terminal is permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

a personal information storage section for storing the personal information of the first communication terminal acquired from the first communication terminal and received by the communication section and for storing the presentation attribute acquired from the

first communication terminal and received by the communication section (abstract, title, Page 5, lines: 1-7, Parker teaches use of personal information in storage determination is made);

However, Parker does not specifically discloses a personal information determination section for determining, based on the indication of the presentation attribute, whether or not of the personal information of the first communication terminal stored in the personal information storage section is permitted to be transmitted to the second communication terminal, nonetheless, Demsky et al. teaches displaying information allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

a personal information presentation section for (i) transmitting (title, abstract, Page 1 lines: 14-22, Parker teaches displayed information), via the communication section, However, Parker does not discloses a personal information presentation section for (i) transmitting via the communication section, the personal information of the first communication terminal stored in the personal information storage section to the

second communication terminal only when the personal information determination section determines that the presentation attribute indicates that the personal information is permitted to be transmitted to the second communication terminal, and (ii) prohibiting the communication section from transmitting the personal information of the first communication terminal stored in the personal information storage section to the second communication terminal when the personal information determination section determines that the presentation attribute indicates that the personal information is not permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

Regarding claim 10. a method for placing restrictions on a disclosure of information employed by a communication terminal which communicates with a first communication terminal and a second communication terminal via telephone or electronic mail (abstract, title, Page 1 lines: 3-13, Parker teaches mobile terminal sending information that has restriction or locking content to be delivered on another device), the method

comprising the steps of:

receiving, from the first communication terminal, (i) personal information of the first communication terminal, the personal information of the first communication terminal including at least a telephone number of the first communication terminal or electronic mail address of the first communication terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to another); and However, Parker does not discloses (ii) a presentation attribute that indicates whether or not the personal information of the first communication terminal is permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

storing the received personal information of the first communication terminal acquired from the first communication terminal and received by the receiving step, and storing the presentation attribute acquired from the first communication terminal (abstract, title, Page 5, lines: 1-7, Parker teaches use of personal information in storage determination

is made); and received by the receiving step:

However, Parker does not disclose determining, based on the indication of the presentation attribute, whether or not the stored personal information of the first communication terminal is permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

transmitting the stored personal information of the first communication terminal to the second communication terminal only when the determining step determines that the presentation attribute indicates that the personal information is permitted to be transmitted to the second communication terminal (title, abstract, Page 1 lines: 14-22, Parker teaches displayed information), and however; Parker is silent about prohibiting the stored personal information of the first communication terminal from being transmitted to the second communication terminal when the determining step determines that the presentation attribute indicates that the

personal information is not permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).₁

Regarding claim 12. a non-transitory computer-readable recording medium having recorded thereon a program to be executed by a communication terminal that communicates with a first communication terminal and a second communication terminal via telephone or electronic mail (abstract, title, Page 1 lines: 3-13, Parker teaches mobile terminal sending information that has restriction or locking content to be delivered on another device), the program causing a computer to execute a method comprising:

receiving, from the first communication terminal, (i) personal information of the first communication terminal, the personal information of the first communication terminal including at least a telephone number of the first communication terminal or an electronic mail address of the first communication terminal (title, abstract, Page 1 lines:

3-13, Parker teaches a CLIR decision of making aware phone number to another device).

However, Parker does not discloses (ii) a presentation attribute that indicates whether or not the personal information of the first communication terminal is permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41,Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

storing the received personal information of the first communication terminal acquired from the first communication terminal and received by the receiving, and storing the presentation attribute acquired from the first communication terminal and received by the receiving (abstract, title, Page 5, lines: 1-7, Parker teaches use of personal information in storage determination is made);

However, Parker does not discloses determining, based on the indication of the presentation attribute, whether or not the stored personal information of the first communication terminal is permitted to be transmitted to the second communication

terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to another device); nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).

transmitting the stored personal information of the first communication terminal to the second communication terminal only when the determining determines that the presentation attribute indicates that the personal information is permitted to be transmitted to the second communication terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to another device). however, Parker is silent about prohibiting the stored personal information of the first communication terminal from being transmitted to the second communication terminal when the determining determines that the presentation attribute indicates that the personal information is not permitted to be transmitted to the second communication terminal; nonetheless, Demsky et al. teaches displaying information, allowing or permitting users to view restricted data by means of data designator related to data

category (fig. 2, 3, col. 7 lines: 1-41, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include by attribute presentation means indication of users permission status, as taught by Demsky et al. for the purposes of, or motivation to, control the dissemination of information of information keeping particular items private relevant to their sensitivity of privacy or displayed to the correct group or viewers or viewer (abstract).₂

Consider claim 2. The communication terminal according to claim 1, wherein the communication section includes a display section operable to display the telephone number or the electronic mail address (title, abstract, Page 1 lines: 14-22, Parker teaches displayed information),

wherein the communication section places a telephone call or transmits an electronic mail to at least the first communication terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to another device), wherein, when the presentation attribute acquired from the first communication terminal indicates that the personal information is permitted to be transmitted to the second communication terminal (col. 6 lines: 53—col. 7 lines: 5, 42-50, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved by content rules to the content of the data items),
the personal information determination section allows the display section of the communication terminal to display the telephone number or the electronic mail address

when the communication section places the telephone call or transmits the electronic mail by using the telephone number or the electronic mail address included in the personal information of the first communication terminal stored in the personal information storage section (col. 6 lines: 53—col. 7 lines: 5, 42-50, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved by content rules to the content of the data items), and wherein, when the presentation attribute acquired from the first communication terminal indicates that the personal information is not permitted to be transmitted to the second communication terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to another device), the personal information determination section prevents the display section of the communication terminal from displaying the telephone number or the electronic mail address when the communication section places the telephone call or transmits the electronic mail by using the telephone number or the electronic mail address included in the personal information of the first communication terminal stored in the personal information storage section (col. 6 lines: 53—col. 7 lines: 5, 42-50, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved by content rules to the content of the data items).

Consider claim 3. The communication terminal according to claim 1, wherein, the personal information storage section stores a presentation attribute of own personal information that has been transmitted to another communication terminal (title, abstract, Page 1 lines: 3-13, Parker teaches a CLIR decision of making aware phone number to

another device), and when the personal information of the first communication terminal is displayed, the presentation attribute of the own personal information that has been transmitted to the first communication terminal is displayed together (col. 6 lines: 53—col. 7 lines: 5, 42-50, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved by content rules to the content of the data items) with the personal information of the first communication terminal.

Consider claim 4. The communication terminal according to claim 3, wherein, the own personal information includes an expiration time of the own personal information, and the communication terminal further comprises a personal information update section that (i) checks whether the expiration time of the own personal information that has been transmitted to the first communication terminal has expired (col. 6 lines: 53—col. 7 lines: 5, 42-50, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved by content rules to the content of the data items), and (ii) notifies a user of the communication terminal that the expiration time of the own personal information that has been transmitted to the first communication terminal has expired (col. 6 lines: 53—col. 7 lines: 5, 42-50, Demsky et al. teaches displaying whether it is permitted to view restricted information or content to be retrieved by content rules to the content of the data items).

Consider claim 9. The communication terminal according to claim 1, wherein the communication section transmits or receives the personal information of the first communication terminal and the presentation attribute by utilizing a radio communication network through which a telephone conversation is carried out or an

electronic mail is transmitted or received (fig. 3, col. 5 lines: 61—col. 6 lines: 21, Demsky et al. teaches wireless communication network wherein the restricted information and data is sent and received by first mobile terminals granted permission by users input to restrict certain information as can be seen).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker (GB 2391750 A), Demsky et al. (US 7107317 B2), and in view of Emerson, III (US 20030043974 A1).

Consider claim 8. The communication terminal according to claim 1, However, the combination of Parker and Demsky et al. do not disclose wherein the communication section transmits or receives the personal information of the first communication terminal and the presentation attribute by utilizing short-distance radio communication, without employing a radio communication network through which a telephone conversation is carried out or an electronic mail is transmitted or received, however, Emerson teaches short range communication via Bluetooth (¶: 46, Emerson teaches Bluetooth capabilities to transmit identity or contact personal information, hence, short-distance radio communication bypassing radio communication network). One skilled in the art would be motivated to use Bluetooth and first means of short-range communication means in order to have a more efficient and better use of network resources.

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parker (GB 2391750 A), Demsky et al. (US 7107317 B2), and in view of Harada et al. (US 20030007640 A1).

Claims 5-7 are rejected for the following reasons: Parker and Demsky et al. is silent about expiry on data when sent from master controller to a predefined determined permitted device, nonetheless, Harada et al. clearly teaches said parameters for said information to be played back by receiver of said information; therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the ability to set and monitor expiry review of said information sent to receiver of information, as taught by Harada et al. for purposes preventing digital piracy and other privacy issues with said copyrights of digital works (¶: 5-6, 217, abstract, title).

Consider claim 5. The communication terminal according to claim 1, wherein, the personal information acquired from the first communication terminal includes an expiration time of the personal information of the first communication terminal (title, abstract, ¶: 217, Harada et al. teaches usage condition with playback period), and the communication terminal further comprises a personal information update section placing restrictions on placing a telephone call or transmitting an electronic mail by using the personal information of the first communication terminal acquired from the first communication terminal if the expiration time of the personal information has expired (title, abstract, ¶: 217, Harada et al. teaches usage condition with playback period).

Consider claim 6. The communication terminal according to claim 5, wherein the personal information update section is operable to notify a user of the communication terminal that the expiration time of the personal information of the first communication terminal acquired from the first communication terminal has expired and resulted in

restrictions being placed on the personal information of the first communication terminal (title, abstract, ¶: 217, Harada et al. teaches usage condition with playback period).

Consider claim 7. The communication terminal according to claim 5, wherein the personal information update section deletes (col. 2 lines: 20-24, 63--col. 3 lines: 5, Demsky et al. teaches dynamic interaction between two different classes of user, hence, it is assumed that deletion or rearrangement of class association of user would change and therefore also the information displayed before them hence the deletion of messages or information), from the personal information storage section, personal information of the first communication terminal having an expired expiration time (title, abstract, ¶: 217, Harada et al. teaches usage condition with playback period).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEGO HERRERA whose telephone number is (571)272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Diego Herrera/
Examiner, Art Unit 2617

/LESTER KINCAID/
Supervisory Patent Examiner, Art Unit 2617